

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-6, 10-15, 20, and 21 are presently pending in this case. Claims 1, 10, 11, 20, and 21 are amended by the present amendment. As amended Claims 1, 10, 11, 20, and 21 are supported by the original disclosure, no new matter is added.

In the outstanding Official Action, Claims 1, 3-6, 10-15, 20, and 21 were rejected under 35 U.S.C. §103(a) as unpatentable over Kelly et al. (U.S. Patent No. 5,907,322, hereinafter “Kelly”) in view of Hsu (U.S. Patent No. 6,195,692); and Claims 4 and 13 were rejected under 35 U.S.C. §103(a) as unpatentable over Kelly and Hsu and further in view of Novak et al. (U.S. Patent No. 7,320,137, hereinafter “Novak”).

With regard to rejection of Claims 1, 10, 11, 20, and 21, that rejection is respectfully traversed.

Amended Claims 1 and 11 recite in part:

reproducing means for reproducing the received stream data;

switching means for switching inputs between an input from said reproducing means and another input;

communicating means for communicating with an external transmitting source of said stream data, each external transmitting source having a URL;

history storing means for storing the URL of the external transmitting source of the stream data and a stop point for each stream data that is stopped; and

stream switching means for switching between two inputs from said reproducing means, said stream switching means pausing a first stream data at a stop point of the first stream data and reproducing a second stream data when the stream switching means is actuated to change from the first stream data to the second stream data, said history storing means storing the stop point of the first stream data, said stream switching means including means for switching which switches between a television channel and stream data, and the first stream data and the second stream data, with a single operation as if switching between two television channels,

wherein in the case where said input is switched from the input from said reproducing means to said another input by said switching means during the reproduction of said stream data by said reproducing means, a stop request to stop transmission of said stream data is transmitted to the transmitting source of said stream data by said communicating means and the history storing means stores the URL of the transmitting source of the stream data and the stop point for the stream data that is stopped, and

in the case where said input is switched back from said another input to the input from said reproducing means by said switching means, said communicating means obtains the stop point for the stream data and the URL of the transmitting source of the stream data from the history storing means and issues a start request to start the reproduction of said stream data from the stop point to said transmitting source of said stream data.

Kelly describes that a user selects bookmarks (or activity records AR) that are stored in an activity table (AT). The user's device transmits the AT to an online service, which looks for relevant content based on the AT. The online service then generates a custom list of content associated with the content identified by the AR and transmits the custom list to the user.

However, it is respectfully submitted that Kelly does not describe switching from broadcast data to a TV signal or saving a broadcast stream stop point. In this regard, Kelly merely describes that the bookmarks identify user selected programs for the purpose of generating associated programs, and do not include a stop point from which the program can be restarted.

In contrast, the invention recited in Claim 1 relates to a TV having the capability of switching between a streaming data from the internet and broadcasted content at the user's command. In an exemplary embodiment where a user is viewing content streaming from a broadband internet service on his/her TV, the user can switch to a program being broadcasted from, for example, a digital TV broadcast service. The user can use a remote controller to switch inputs from the Ethernet input to the digital TV tuner. At this time, the TV will pause

the streaming data received through the Ethernet (the user will now be able to freely view the digital broadcast content). When the user wants switch back to the broadband streaming content he/she can use the remote controller to switch back to it. The TV will use this switch as a trigger to start once again the streaming content from the last point he/she was watching (before switching to the digital TV broadcast).

The outstanding Office Action asserts that the “history storing means” is equivalent to the “activity table” described in Kelly, “pausing” is equivalent to “book-marking,” a “stop request” equivalent to the process described at column 2, line 37 to column 3, line 4 of Kelly, and “switching back to Ethernet input from digital TV broadcast” is equivalent to the process described at column 3, lines 4-50 of Kelly. However, it is respectfully submitted that these portions of Kelly do not describe the claimed invention.

The “history table” of Kelly is described in paragraphs 70-73 of Kelly. A history table is automatically stored, identifying the URL and the time position of the internet streaming video viewed at the time when the viewer switches inputs. This is different from what Kelly describes as an “activity table (AT)” (column 1, lines 54-67 of Kelly). The AT stores a list of activity records (AR) that the user manually marks as a bookmark during a televised broadcasted content. As noted above, the AT is then transmitted to a central database, where information from TV ads and websites are analyzed. The AT is then used to determine which data in the database should be retrieved and presented to the user as related content. The database then generates a custom list of data for the user which identifies content associated with the broadcast event.

Thus, Kelly describes a system in which the user starts from manually bookmarking televised events, and switches to an internet service to obtain information relevant to the bookmarked items. In the invention recited in Claim 1, the user watches broadband streaming content, and switches to a televised broadcast content, and no bookmarking is

performed. It is respectfully submitted that televised broadcast content cannot be paused/stopped according to Kelly's invention. There is nothing mentioned in Kelly about stopping/pausing a streaming position, nor does it state anything about storing a "stop point" for each stream data when the user switches from a broadband streaming content (internet) to a broadcast content.

Further, Kelly does not describe using the "history" to find the previous streaming position that the user was last viewing when the user switches back to the from the broadcast content to the broadband streaming content. In the invention recited in Claim 1, the user can start from the streaming position that he/she was last viewing before he/she decided to switch to the broadcast content.

Finally, it is respectfully submitted that Hsu does not cure these deficiencies of Kelly. Consequently, Claims 1 and 11 (and Claims 3-6 and 12-15 dependent therefrom) are patentable over Kelly in view of Hsu.

Amended Claim 10 recites in part:

reproducing the received stream data;
switching an input between inputs from said
reproducing and another input;
communicating with an external transmitting source of
said stream data;
***switching between two inputs from said reproducing,
said switching between two inputs from said reproducing
including pausing a first stream data at a stop point of the
first stream data and reproducing a second stream data to
change from the first stream data to the second stream data,
and storing the stop point of the first stream data; and
switching between a television channel and stream
data, and the first stream data and the second stream data,
with a single operation as if switching between two television
channels,***
wherein in the case where said input is switched from
the input from said reproducing to said another input by said
switching during the reproduction of said stream data by said
reproducing, a stop request to stop transmission of said stream
data is transmitted to the transmitting source of said stream
data by said communicating and a URL of the external

transmitting source of the stream data and the stop point for the stream data that is stopped is saved in a history, and
in the case where said input is switched back from said another input to the input from said reproducing by said switching, the stop point for the stream data and the URL of the external transmitting source of the stream data is obtained from the history and a start request to start the reproduction of said stream data from the stop point is transmitted to said transmitting source of said stream data by said communicating.

As noted above, Kelly appears to only describe that a bookmark identifies content for the purpose of determining similar content. In this regard, Kelly does not describe that the bookmark serves as a stop point, or that a user can resume watching content from the bookmark. Therefore, it is respectfully submitted that Kelly does not teach or suggest “switching” as recited in amended Claim 10. Moreover, it is respectfully submitted that Hsu does not cure these deficiencies of Kelly. Thus, amended Claim 10 is also patentable over Kelly in view of Hsu.

Amended Claims 20 and 21 each recite in part:

a reproducing unit configured to reproduce the received stream data;
a switch configured to switch inputs between an input from said reproducing unit and another input;
a communicating unit configured to communicate with an external transmitting source of said stream data, each external transmitting source having a URL;
a history storing unit configured to store a history including the URL for the external transmitting source of the stream data and a stop point for each stream data that is stopped; and
a stream switching unit configured to switch between two inputs from said reproducing unit, said stream switching unit configured to pause a first stream data at a stop point of the first stream data and to reproduce a second stream data when the stream switching unit is actuated to change from the first stream data to the second stream data, said history storing unit configured to store the stop point of the first stream data, said stream switching unit including a single switch configured to switch between a television channel and stream data, and the first stream data and the second stream data, with a single operation as if switching between two television channels,

wherein in the case where said input is switched from the input from said reproducing unit to said another input by said switch during the reproduction of said stream data by said reproducing unit, said receiving apparatus transmits a stop request to stop the transmission of said stream data to said stream data server by said communicating unit, said stream data server stops the transmission of said stream data by said stream data server in accordance with said stop request and the history storing unit stores the URL of the external transmitting source of the stream data and the stop point in the history, and in the case where said input is switched back from said another input to the input from said reproducing unit by said switch, said receiving apparatus obtains the stop point for the stream data and the URL of the external transmitting source of the stream data from the history stored by the history storing unit and transmits a start request to start the reproduction of said stream data from the stop point to said stream data server, and said stream data server reproduces said stream data from the stop point and transmits said stream data to said receiving apparatus in accordance with said start request.

As noted above, Kelly appears to only describe a device that receives a user identification of a bookmark for the purpose of determining similar content to the bookmarked content. In this regard, Kelly does not describe a device that stores the bookmark as a stop point, or that a device that will resume reproducing content from the bookmark. Therefore, it is respectfully submitted that Kelly does not teach or suggest “a stream switching unit” as recited in amended Claims 20 and 21. Moreover, it is respectfully submitted that Hsu does not cure these deficiencies of Kelly. Consequently, amended Claims 20 and 21 are also patentable over Kelly in view of Hsu.

With regard to the rejection of Claims 4 and 13 as unpatentable over Kelly in view of Hsu and further in view of Novak, it is noted that Claims 4 and 13 are dependent from Claims 1 and 11, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Novak does not cure any of the above-noted deficiencies of Kelly and Hsu. Accordingly, it is respectfully submitted that Claims 4 and 13 are patentable over Kelly in view of Hsu and further in view of Novak.

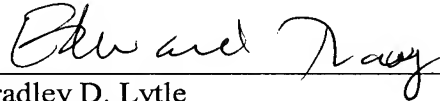
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Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Bradley D. Lytle", is written over a horizontal line.

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